THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.13677 of 1994(O&M)
Date of decision: 07.09.2012

Veer Bhan

…..Petitioner

versus

State of Haryana and others

……Respondents

CORAM: Hon'ble Mr.Justice Jasbir Singh, Acting Chief Justice

Present: Mr.Shiv Kumar, Advocate for the petitioner
Mr.Randhir Singh Additional Advocate General, Haryana

Jasbir Singh, Acting Chief Justice (Oral)

C.M. No.12036 of 2012

This application has been filed with a prayer to recall an order dated 5.5.2011 vide which CWP No.13677 of 1994 was dismissed for non-prosecution. Application is accompanied by an affidavit, wherein it is stated that non-appearance on the date fixed was not intentional. This Court is convinced with the averments made in this application. Accordingly, it is allowed, order dated 5.5.2011 stands recalled and CWP No.13677 of 1994 is restored to its original number. On request made, the same is taken up on board for final hearing today itself.

CWP No.13677 of 1994

By filing this writ petition, a prayer has been made to quash an order dated 8.4.1994 (P3) vide which the petitioner was directed to deposit an amount of Rs.36210/- along with interest, for change of land use from residential to commercial.

It is stated at the bar that some part of the property was used as residential purpose and for the remaining portion, a prayer was made for

using it for commercial purpose. However, without any justification the authorities have demanded above exorbitant amount.

At the time of hearing, counsel for the petitioner states that now the petitioner is ready to deposit the above amount with interest as may be calculated by the respondent-authorities.

Mr.Randhir Singh Additional Advocate General, Haryana has raised no objection to the prayer made.

Under the circumstances, this writ petition is disposed of giving liberty to the petitioner to deposit the amount assessed vide order dated 8.4.1994 (P3) along with interest, as may be calculated by the authorities within two months. The petitioner shall approach the officer concerned with the above proposal, who shall calculate the interest amount and thereafter, the petitioner shall deposit the same.

07.09.2012 **(Jasbir Singh)**
gk **Acting Chief Justice**